

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Theresa M. Gosko
Assignee: Dell Products, L.P.
Title: Data Structure for Use in an Automated Order Entry System
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Examiner: Oger Garcia Ade Group Art Unit: 3627
Docket No.: DC-02493 Customer No.: 33438

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MAIL STOP AF
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

**PRE-APPEAL BRIEF REQUEST FOR REVIEW
AND STATEMENT OF REASONS**

Sir:

Applicant requests review of the Final Rejection in the above-identified application. No amendments are being filed with the request. This request is being filed with a Notice of Appeal. The following sets forth a succinct, concise, and focused set of arguments for which the review is being requested.

CLAIM STATUS

Claims 1, 2, 4 – 9 and 30 – 39 are pending in the application. Claims 1, 2, 4 – 9 and 30 – 39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Johnson, U.S. Patent No. 6,023,683 (Johnson) and further in view of Lin et al., U.S. Patent No. 6,052,785 (Lin).

REMARKS

The following remarks provide applicants' position regarding how the claims distinguish over the art of record. While not discussed herein, all the arguments presented regarding hindsight reconstruction and suggestion to combine are maintained.

The present invention generally relates to automated order entry systems and more particularly to data structures for use in automated order entry systems where the data structures include a system identification portion indicating whether a system is one of a bundled system and a custom system.

More specifically, the present invention, as set forth by independent claim 1, relates to a computer program in combination with a computer readable media. The computer program provides a catalog from a manufacturer to a customer and is encoded to enable a customer to perform an automated order entry process. The computer program includes a catalog header record portion stored on the computer readable media which stores catalog header record data, a system identification portion stored on a the computer readable media which stores system identification data and includes a system type element indicating whether a system is one of a bundled system and a custom system which allows the customer to determine whether the system is a bundled system or a custom system during the automated order entry process, and a system option record portion stored on a the computer readable media which stores system option record data.

The present invention, as set forth by independent claim 30, relates to a computer program in combination with a computer readable media. The computer program provides a catalog from a manufacturer to a customer and is encoded to enable a customer to perform an automated order entry process. The computer program includes a catalog header record portion stored on the computer readable media which stores catalog header record data. where the catalog header data applies to an entire the catalog, a system identification portion stored on a the computer readable media which stores system identification data, applies once for each system type and includes a system type indicator which indicates whether a system is one of a bundled system and a custom system and allows the customer to determine whether the system is a bundled system or a custom system during the automated order entry process, and a system option record portion being stored on a the computer readable media which stores system option record data and includes a plurality of system option record entries where each of the plurality of system option record entries applies to a respective system option.

Johnson relates to interfacing product information (e.g., vendor catalogs) with requisition and purchasing systems. More specifically, Johnson discloses a requisition and inventory management system (RIMS) that includes several RIMS databases 42 as well as a RIMS

program 44. The RIMS program 44 includes an order header program 44D. (See e.g., Johnson, Col. 6, line 54 – Col. 7, line 35.)

When setting forth that Johnson discloses system identification data including a system type element, the system type element indicating whether a system is one of a bundled system and a customer system, the Examiner cites to the search input screen shown in Appendix VII as well as the following portion of Johnson:

TV/2 search program 50 will search catalog database 36 for all items that match the search field sent over from REQI program 44A and Requisition Management data screen 110. When a search is performed in Shell 52 and search program 50, a Hit List 47 is produced, as indicated in FIG. 1C. The user would see on monitor 22 of local computer 20 a Hit List 47 screen representing limited data about all matching catalog items that were located in catalog database 36 as a result of the search. A sample Hit List 47 produced from a search initiated when the entry "OVENS" is received as the description or keyword by search program 50 from Requisition Item Table 46 is shown in Appendix III. Similar Hit Lists 47 are produced when various searches are performed from the Search Input screen shown in Appendix VII. When a Hit List 47 is depicted on monitor 22, the underlying catalog text and pictures (in either partial or complete form) are typically collected in a memory location for rapid viewing, printing or other use.

When multiple catalogs are present in catalog database 36, search program 50 contains a function associated with the catalog symbol of the footer bar and screen window (not shown) for selecting catalogs to be searched (Johnson, Col. 9, lines 34 – 55).

However, the portions of Johnson to which the Examiner refers, nor anywhere else in Johnson, do not disclose or suggest providing a catalog from a manufacturer to a customer to enable a customer to perform an automated order entry process, much less such a computer program which comprises a system identification portion storing system identification data, the system identification data including a system type element, the system type element indicating whether a system is one of a bundled system and a custom system, the system type element allowing the customer to determine whether the system is a bundled system or a custom system during an automated order entry process, as required by claim 1 and as substantially required by claim 30. These deficiencies of Johnson are not cured by Lin.

Lin relates to middle tier server management of multiple client access authorization of multiple remote data repositories. The system of Lin may be implemented in a computer readable medium in combination with a computer program.

Accordingly, Johnson and Lin, taken alone or in combination, do not teach or suggest a computer program in combination with a computer readable media where the computer program encoded to enable a customer to perform an automated order entry process, much less such a computer program which includes a system identification portion which stores system identification data and includes *a system type element indicating whether a system is one of a bundled system and a custom system which allows the customer to determine whether the system is a bundled system or a custom system during the automated order entry process*, all as required by claim 1. Accordingly, claim 1 is allowable over Johnson and Lin. Claims 2, and 4 - 9 depend from claim 1 and are allowable for at least this reason.

Johnson and Lin, taken alone or in combination, do not teach or suggest a computer program where the computer program is encoded to enable a customer to perform an automated order entry process, much less such a computer program which includes a catalog header record portion which stores catalog header record data, *where the catalog header data applies to an entire the catalog*, a system identification portion which stores system identification data that *applies once for each system type* and includes *a system type indicator which indicates whether a system is one of a bundled system and a custom system and allows the customer to determine whether the system is a bundled system or a custom system during the automated order entry process*, and a system option record portion being stored on a the computer readable media which stores system option record data and includes *a plurality of system option record entries where each of the plurality of system option record entries applies to a respective system option*, all as required by claim 30. Accordingly, claim 30 is allowable over Johnson and Lin. Claims 31 - 39 depend from claim 30 and are allowable for at least this reason.

In view of the arguments set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, please telephone the undersigned.

I hereby certify that this correspondence is being electronically submitted to the COMMISSIONER FOR PATENTS via EFS on November 29, 2007.

/Stephen A. Terrile/

Attorney for Applicant(s)

Respectfully submitted,
/Stephen A. Terrile/
Stephen A. Terrile
Attorney for Applicant(s)
Reg. No. 32,946